

### **REMARKS/ARGUMENTS**

The Final Office Action mailed November 10, 2009 and the Advisory Action dated March 12, 2010 have been carefully reviewed and these remarks are responsive to that Office Action. Reconsideration and allowance of this application are respectfully requested. Claims 1-25, 29-31 are pending in this application. Claims 1-12, 14, 16, 18, 20-24, and 29 have been amended. No new matter has been added to the amended claims. Support for the amendments may be found in paragraph 47, among other places, of the specification as originally filed. The Examiner is requested to call the undersigned by phone if it is felt that this response does not place the Application in condition for allowance.

#### **Examiner Interview**

Applicants thank the Examiner for the interview on January 6, 2010. During the interview, the Examiner suggested that clarifying how the discussion of “warp units” and “occlusion masks” in Rosser1 (US Patent No. 6,446,261) is different from the claimed morphing of an interactive channel bug as discussed in the independent claims may overcome the prior art of record. Thus, in this response, Applicants have included further arguments/amendments that discuss this distinction.

#### **Rejections under 35 U.S.C. § 103**

Claims 1-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson et al. (US Patent No. 6,536,041), hereinafter referred to as Knudson, in view of Rosser (US Patent No. 6,446,261), hereinafter referred to as Rosser1. Claims 29-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson and Rosser1 in view of Rosser (US Patent No. 6,750,919), hereinafter referred to as Rosser2.

Independent claim 1 has been amended to recite, *inter alia*:

morphing an interactive channel bug into the received video transmission,  
wherein the morphing also allows the interactive channel bug to start flashing  
upon display

Neither Knudson nor Rosser1, alone or in combination, disclose or suggest at least this feature of claim 1. The Office Action admits on page 5 that Knudson does not disclose or suggest “morphing an interactive channel into the received broadcast, wherein the interactive channel bug is used to facilitate interactivity without the need for tuning to a dedicated channel associated with interactive services and to provide the received broadcast and the interactive channel bug to the display,” as previously claimed. (See Office Action, page 5). However, the Office Action alleges that Rosser1 describes this feature of independent claim 1. (See Office Action, page 5, “In an analogous art, Rosser teaches using occlusion masks to warp an image onto a broadcast at the STB. The warping takes place at warp unit 100 which is at the STB.”)

Applicants respectfully disagree. The warping of images using occlusion masks and the warp unit 100 are not equivalent to “morphing an interactive channel bug into the received video transmission, wherein the morphing also allows the interactive channel bug to start flashing upon display” as claimed. The warp unit 100 “takes the appropriate model information 88 and uses it to warp the appropriate text video 98 and the appropriate video insertion 90 into the appropriate pose required to make the insertion behave as if it were part of the natural scene.” (See Rosser1, column 10, lines 31-35.) Thus, the warping process of Rosser1 merely warps still, animated, or live video inserts (See Rosser1, column 7, lines 41-42.) into an original video stream to help in displaying the inserts with the original video. Even assuming, but not admitting, that the warping of Rosser1 is equivalent to the morphing of claim 1, Rosser1 does not disclose or suggest “wherein the morphing also allows the interactive channel bug to start flashing upon display,” as claimed.

None of the other cited references (e.g. Rosser2, etc) overcome these deficiencies of Rosser1. In addition, Applicant respectfully disagrees that the cited references are properly combinable as asserted in the 103 rejection. For at least these reasons, independent claim 1 distinguishes over the references of record and is in condition for allowance. Claims 2-9 depend from claim 1 and are distinguishable for at least the same reasons as claim 1, and further in view of the various features recited therein.

Independent claims 10 and 18 have been amended to recite features similar to those of claim 1 discussed above. Therefore, claims 10 and 18 are in condition for allowance for at least similar reasons to those given in support of claim 1. Dependent claims 11-17, 19-25 depend on claims 10 or 18 and are in condition for allowance at least due to their dependence on an

allowable claim as well as the features they recite.

Independent claim 29 has been amended to recite, *inter alia*:

aligning an interactive bug over the non-interactive video transmission bug at the position without user intervention, wherein the interactive bug is configured to facilitate an online poll

Knudson, Rosser1, and Rosser2, either alone or in combination, do not disclose or suggest at least this feature of claim 29. While Knudson discusses the display of sponsored program guides that are sponsored by companies like “Nike, which sells sports-related products,” (See Knudson, column 19, line 47), Knudson is silent on the use of an interactive channel bug “configured to facilitate an online poll,” as claimed. In addition, while Rosser1 does state that “a broadcaster would establish a continuous survey of a few thousand households of known profile factors for each significant broadcast region,” these surveys are not facilitated by an interactive channel bug, as claimed. (See Rosser1, column 4, lines 15-17.) Rosser2, which describes a system and method for placing event related information into a video broadcast, is also silent as to the use of interactive channel bugs for online polls. (See Rosser2, Abstract.)

For at least these reasons, independent claim 29 is in condition for allowance. Claims 30-31 depend from claim 29 and are distinguishable for at least the same reasons as claim 29, and further in view of the various features recited therein.

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

Date: April 12, 2010

By: /Surendra K. Ravula/  
Surendra K. Ravula  
Registration No. 65588  
BANNER & WITCOFF, LTD.  
10 South Wacker Drive, Suite 3000  
Chicago, Illinois 60606  
Tel: (312) 463-5000  
Fax: (312) 463-5001